

35 U.S.C. §112 REJECTIONS

Claims 1 and 3-18 were rejected under 35 U.S.C. §112, second paragraph. The claims are directed to a multicoat color and/or effect coating system. This is an article comprising multiple coating layers, which is referred to as a "system". In claim 1, the substrate is not a required element of the claim. The phrase "for a primed or unprimed substrate" in claim 1 is listing a preferred use of the coating system. In claim 9, an article is claimed that has the multicoat coating system on it. As for the term "system", this is a term used by one of ordinary skill in the art to refer to multiple coating layers. There are some non-limiting examples of coating systems described on page 1, second paragraph. For example, in one embodiment, the system is a surfacer coat, a basecoat, and a clearcoat. Additionally, claims 10, 11, 13, and 16 claim systems with the described layers. One of ordinary skill in the art can ascertain the scope of the claim from the term "multicoat color and/or effect coating system" as being multiple coating layers together as a system. Therefore, it is respectfully submitted that claims 1 and 3-18 are not indefinite.

OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTIONS

Claims 1, 3-7, 18, 23, and 24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of copending Application No. 09/868,095.

Serial No. 09/868,095 is the same as United States Patent No. 6,506,836. A phone call to the Examiner on April 5, 2004 clarified this rejection. The rejection should have been based on the reference cited on form PTO-892, which is 2003/0078337, which is Serial No. 10/257,119.

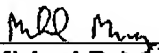
Enclosed is a Terminal Disclaimer to obviate this rejection.

Claims 1-24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of United States Patent No. 6,506,836.

Enclosed is a Terminal Disclaimer to obviate this rejection.

In view of the amendments and remarks contained above, Applicant respectfully requests reconsideration of the application, withdrawal of the 35 USC §112 and Obviousness-Type Double Patenting rejections, and requests that a Formal Notice of Allowance be issued for claims 1-24. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,


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